

ZB# 03-14

Eugene Hecht

9-1-25.4

HECHT, EUGENE & JAN - SIGN VARIANCE
(former PLEASANT ACRES)
9-1-25.4

03-14

ZBA
APPROVED
6/2/2003

APPLICATION FEE (DUE AT TIME OF FILLING OF APPLICATION)

03-14

TYPE: AREA ☒ USE

APPLICANT: Eugene Hecht
129 Meadow Hill Rd.
Newburgh, NY
 TELE: 566-8314

RESIDENTIAL: \$ 50.00 CHECK #
 COMMERCIAL: \$150.00 CHECK # 443
 INTERPRETATION: \$150.00 CHECK #
 ESCROW: \$500.00 CHECK # 444

DISBURSEMENTS:

	MINUTES \$4.50 PER PAGE	ATTORNEY FEES \$35.00 / MEETING
PRELIM..... <u>3/24</u>	\$ <u>9.00</u>	\$ <u>35.00</u>
2 ND PRELIM.....		
3 RD PRELIM.....		
PUB HEARING.. <u>4/10/03</u> ...	<u>9.00</u>	<u>35.00</u>
PUB HEARING (CON'T)...		
TOTAL	\$ <u><u>18.00</u></u>	\$ <u><u>70.00</u></u>

OTHER CHARGES:..... \$

• • • • •

ESCROW POSTED: \$ 500.00
 AMOUNT DUE: \$
 REFUND DUE: \$ 412.00

L.R
6/9/03



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

June 24, 2003

Mr. Eugene Hecht
129 Meadow Hill Road
Newburgh, NY 12550

SUBJECT: VARIANCE #03-14

Dear Mr. Hecht:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

Sent 6/24/03

1 of 2

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4615 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 2/18/03

APPLICANT: Eugene & Jan Hecht
129 Meadow Hill Road
Newburgh, NY 12550

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 2/14/03

FOR : Pleasant Acres Nursery Inc.

LOCATED AT: 161 Windsor Highway

ZONE: C Sec/ Blk/ Lot: 9-1-25.4

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 48-18, H-1(a) Freestanding signs shall not exceed 64sqft, total all faces. Existing sign is 160sqft total all faces. A variance of 96sqft is required.

Louis J. Kinchean
BUILDING INSPECTOR

**VARIANCE
REQUEST:**

03-14

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building permit completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

FEB 14 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2003-113

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Eugene & Jan Hecht

Address 129 Meadow Hill Rd Abc NY Phone # 566-8314

Mailing Address _____ Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of 161 Windsor Hwy.
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 9 Block 1 Lot 25.4

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other SIGN

6. Is this a corner lot? _____

BY ROAD
6' X 8'

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____

ZONING BOARD

Fee

\$ 50 -

CU# 1103
paid 06

PAID

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Ast. Inspectors: Frank Lisl & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

	N	
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W

E

2

TODD A. KELSON, P.C.
ATTORNEY & COUNSELLOR-AT-LAW
254 ROUTE 17K NEWBURGH, NY 12550
845-567-3010
FAX 845-567-1176*
E-MAIL TAKELSON@AOL.COM*

*NOT FOR SERVICE OF PROCESS

March 3, 2003

Town of New Windsor Building Dept.
555 Union Avenue
New Windsor, NY 12553

RE: Pleasant Acres Nursery, Inc. to Hecht
Property Address: 161 Windsor Highway, New Windsor, NY, Section 9, Block 1, Lot 25.4

Dear Sir/Madam:

This will confirm that Mr. Hecht is authorized to act on behalf of Pleasant Acres Nursery, Inc. with regard to any open building code or zoning violations with the Town of New Windsor.

Very truly yours,

Todd A. Kelson
TODD A. KELSON

TAK:cp
Enclosure

RECEIVED

MAR 03 2003

BUILDING DEPARTMENT

BRUNING 44-252 73727

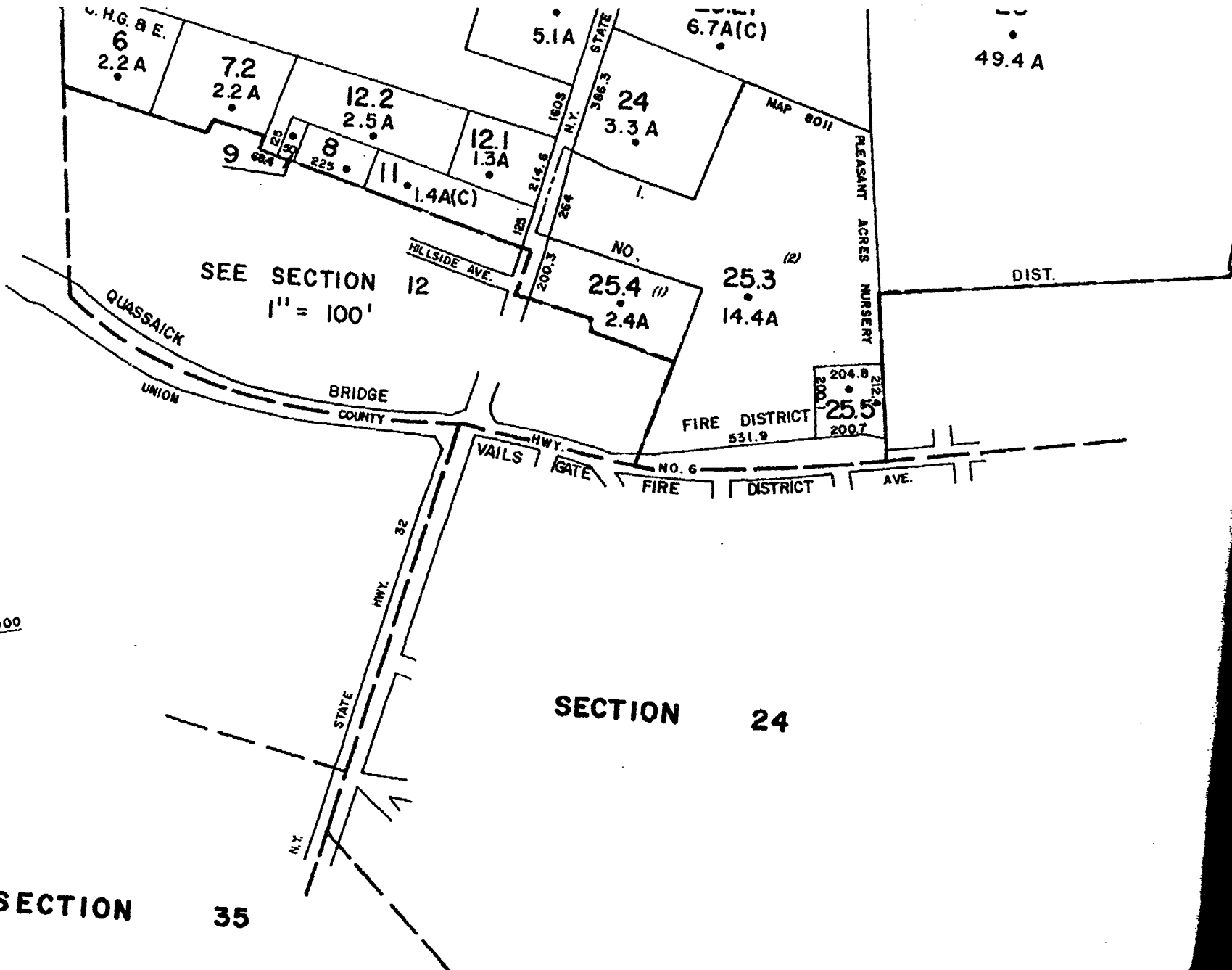
Prepared by

ORANGE CO.

N 538,000
E 574,000

SECTION 35

SECTION 24



In the Matter of the Application of

EUGENE & JAN HECHT

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #03-14

WHEREAS, Eugene & Jan Hecht, owners of 161 Windsor Highway, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 96 square feet (total all faces) for freestanding sign in a C zone; and

WHEREAS, a public hearing was held on the April 14th, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located in a neighborhood of commercial properties on a busy state highway.
 - (b) The applicant seeks to replace an existing sign which has been in place since approximately 1976.
 - (c) The sign is not illuminated, flashing nor does it contain neon.
 - (d) The sign does not block the safe operation of motor vehicles on the adjacent highway.
 - (e) The sign is no higher or larger than other signs in the area.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variances.

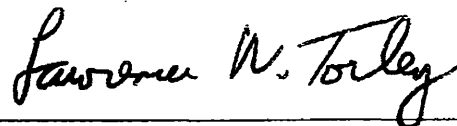
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 96 square feet (total all faces) for freestanding sign in a C zone; as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 2, 2003



Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: JUNE 9, 2003
SUBJECT: CLOSE OUT ESCROW #03-14

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 412.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-14

NAME: EUGENE HECHT

ADDRESS: 129 MEADOW HILL ROAD

NEWBURGH, NY 12550

THANK YOU,

MYRA

6/9/03
L.R.

EUGENE HECHT (#03-14)

MR. KANE: Request for area variance of Section 48-18H(a) for 96 square feet (total all faces) for freestanding sign at 161 Windson Highway (formerly Pleasant Acres) in a C zone.

Mr. Eugene Hecht appeared before the board for this proposal.

MR. KANE: Repeat of the first time around.

MR. HECHT: Sign's been there since 1976, unfortunately, they never got a C.O., took out a building permit, all we're trying to do is make it legal.

MR. KANE: Not chaining the existing sign whatsoever?

MR. HECHT: Just trying to make it legal.

MR. KANE: How long has the sign been there?

MR. HECHT: 1976.

MR. KANE: It's an illuminated sign?

MR. HECHT: No.

MR. KANE: Doesn't block any traffic?

MR. HECHT: No, it's set back off the highway.

MR. KANE: We'll go right to the public hearing portion. Anybody in the public here for this particular meeting? Please stand up and give your name and address.

MS. MASON: On March 31, 31 addressed envelopes were mailed out.

MR. KANE: Any responses at all?

MS. MASON: No.

MR. KANE: Public portion is closed. Gentlemen, any other questions?

MR. KRIEGER: This isn't any higher than other signs in the area, is it?

MR. HECHT: It's lower than most of them.

MR. KRIEGER: It's not larger than other signs in the area?

MR. HECHT: No.

MR. MC DONALD: You're not doing anything, just going to be--

MR. HECHT: Just trying to make it legal.

MR. REIS: Ask if this was a lighted sign?

MR. KANE: Yeah, it's non-illuminated.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we grant Mr. Eugene Hecht his variance for 161 Windsor Highway for the existing sign.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MC DONALD	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF:

April 14, 2003

PROJECT: Eugene Hecht

ZBA # 03-14

P.B.#



USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

PUBLIC HEARING: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

NEGATIVE DEC: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

APPROVED: M) S) VOTE: A N

RIVERA

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) S)

VOTE: A N

RIVERA

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED:

M) Reis S) M VOTE: A 4 N 0

RIVERA

MC DONALD

REIS

KANE

~~TORLEY~~A
A
A
A
 CARRIED: Y ✓ N Sign existing since 1976

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

EUGENE HECHT

AFFIDAVIT OF
SERVICE
BY MAIL

#03-14

_____ X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 31ST day of **MARCH**, 2003, I compared the 31 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

31st day of March, 2003

[Signature]
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 03-14

Request of EUGENE HECHT


for a VARIANCE of the Zoning Local Law to Permit:

**96 square feet (total all faces) for freestanding sign
being a VARIANCE of Section 48-18H-1(a)**

for property located at: 161 WINDSOR HIGHWAY

known and designated as tax map Section 9 Block 1 Lot 25.4

**PUBLIC HEARING will take place on APRIL 14TH, 2003
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**


Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

March 27, 2003

Eugene Hecht
129 Meadow Hill Road
Newburgh, NY 12550

Re: 9-1-25.4 ZBA# 30-14


Dear Mr. Hecht,

According to our records, the attached list of property owners, are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

J Todd Wiley 

J. Todd Wiley
Sole Assessor

JTW/jjl
Attachments

CC: Myra Mason, ZBA

9-1-11

Ofer Avgush
152 Route 202
Garnerville, NY 10923 ✓

12-1-23

Ofer Avgush
4 Hillside Ave.
New Windsor, NY 12553 ✓

24-1-1 & 24-1-2 & 24-1-3

Amelia Baez
175 Windsor Hwy
New Windsor, NY 12553 ✓

9-1-12.1

BJS Holding LLC
38 West 32nd Street
Room 1201
New York, NY 10001 ✓

12-1-24

Lois J. & Kathleen Antonelli
3 Hillside Ave
New Windsor, NY 12553 ✓

24-2-1

Joan A. Thiele
222 Daniher Ave.
New Windsor, NY 12553 ✓

9-1-12.2

Angelina Talmadge C/o Bernie Calandrea
13 Veronica Ave.
New Windsor, NY 12553 ✓

12-1-27 & 12-1-49

Frank Sr. & John R. Antonelli
170 Windsor Hwy.
New Windsor, NY 12553 ✓

24-2-2

Jeanette P. & Joseph Anthony Martinez
224 Daniher Ave.
New Windsor, NY 12553 ✓

9-1-13 & 9-1-14

Roman Catholic Church of St. Joseph
6 St. Joseph Place
New Windsor, NY 12553 ✓

12-1-28 & 12-1-29

Joseph F. & Rose Ann Cubito
15 Hillside Ave.
New Windsor, NY 12553 ✓

24-2-3

William V. & Marie C. Murphy
228 Daniher Ave.
New Windsor, NY 12553 ✓

9-1-24

Joseph Kim Doo
425 Angola Rd.
Cornwall, NY 12518 ✓

12-1-30

Joseph & Carmela DeLeonardo
1647 Roland Ave.
Wantagh, NY 11793 ✓

24-2-17 & 24-2-18

Donald S. Jr. & Diane Marie McKee
227 James Street
New Windsor, NY 12553 ✓

9-1-25.3

Herbert Redl
80 Washington St - Suite 310
Poughkeepsie, NY 12601 ✓

12-1-48

Central Hudson Gas & Electric Corp.
284 South Ave.
Poughkeepsie, NY 12602 ✓

24-3-1

Genevieve Malinowski
293 Union Ave.
New Windsor, NY 12553 ✓

9-1-25.5

Bruce I. & Johanna Williams
268 Union Ave.
New Windsor, NY 12553 ✓

12-2-1

Orwest Realty Corp. C/o DB Companies
Dairy Mart Store # 619
P.O. Box 9417
Providence, RI 02940-9417 ✓

24-3-2.2

Margaret L. Millspaugh
226 Spruce St.
New Windsor, NY 12553 ✓

12-1-16

Philomena Guariglia Mahood
20 Hillside Ave.
New Windsor, NY 12553 ✓

2-2-2 & 12-2-3

David Sarinsky
298 Union Ave.
New Windsor, NY 12553 ✓

24-3-34

Frank & Darleen J. Mezzatesta
225 Daniher Ave.
New Windsor, NY 12553 ✓

12-1-18.1

Samuel Jr. & Eric Acquaro
Life Estate for Samuel J.
16 Hillside Ave.
New Windsor, NY 12553 ✓

12-2-4

Gertrude Sarinsky
294 Union Ave.
New Windsor, NY 12553 ✓

24-1-1.1

Patricia M. & Richard W. Hartfield
285 Union Ave.
New Windsor, NY 12553 ✓

12-1-19

Secretary of HUD
First Preston Foreclosure Specialists
One Sentry Place
475 Sentry Parkway #5000
Blue Bell, PA 19422 ✓

12-2-5

David & Jacie Sarinsky
298 Union Ave.
New Windsor, NY 12553 ✓

24-4-3

James C. Sr. & Anna D. Jensen
281 Union Ave.
New Windsor, NY 12553 ✓

Smooth Feed Sheets™

24-4-4
Johanna & Vincent Delgatto
279 Union Ave.
New Windsor, NY 12553

31
Mailed

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: 03-25-2003 PROJECT NUMBER: ZBA# 03-14 P.B. # _____

APPLICANT NAME: EUGENE HECHT

PERSON TO NOTIFY TO PICK UP LIST:

EUGENE HECHT
129 MEADOW HILL ROAD
NEWBURGH, NY 12550

TELEPHONE: 566-8314

TAX MAP NUMBER: SEC. 9 BLOCK 1 LOT 25.4
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: 161 WINDSOR HIGHWAY
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 445

TOTAL CHARGES: _____



PROJECT: Eugene Hecht

ZBA # 03-14
P.B.#

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 KANE _____
 TORLEY _____

CARRIED: Y ✓ N

CARRIED: Y N .

[illegible]



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

April 9, 2003

Mr. Eugene Hecht
129 Meadow Hill Road
Newburgh, NY 12550

SUBJECT: PUBLIC HEARING

Dear Mr. Hecht:


This is just a reminder that your Public Hearing before the Zoning Board of Appeals for your requested variance at:

161 Windsor Highway
New Windsor, NY

is scheduled for the April 14th, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,


Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

EUGENE HECHT #03-14

Mr. Eugene Hecht appeared before the board for this proposal.

MR. TORLEY: Request for area variance of Section 48-18H-1(a) for 96 square feet (total all faces) for freestanding sign and Section 48-18H-1(b) for 3'6" x 10' for wall sign at 161 Windsor Highway (formerly Pleasant Acres) in a C zone.

MR. HECHT: Only one sign we have, is that correct?

MR. TORLEY: No, it says two signs here.

MR. BABCOCK: One freestanding, one facade.

MR. HECHT: Facade's coming off the building tomorrow, don't want it. The other one's just for a pre-existing sign, it's been there since 1976.

MR. KANE: Illuminated in any way?

MR. HECHT: No.

MR. KANE: Blocking traffic in any way?

MR. HECHT: None.

MR. KANE: This is an existing sign that's been there since?

MR. HECHT: 1976.

MR. KRIEGER: Will you be making the, replacing that sign, will you be making it any bigger?

MR. HECHT: Using the existing sign, not even replacing it.

MR. TORLEY: Just cleaning up.

MR. HECHT: Just want to clean it and paint it.

MR. TORLEY: Gentlemen, any questions?

March 24, 2003

9

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: Make a motion that we set up Mr. Hecht for his requested variance, one variance for the property at 161 Windsor Highway.

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

2 of 2

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4615 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 2/18/03

APPLICANT: Eugene & Jan Hecht
129 Meadow Hill Road
New Windsor, NY 12550

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 2/14/03

FOR : Pleasant Acres Nursery Inc.

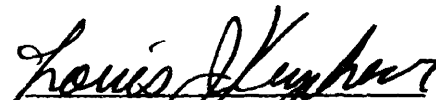
LOCATED AT: 161 Windsor Highway

ZONE: C Sec/ Blk/ Lot: 9-1-25.4

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 48-18, H-1(b) Façade signs shall not exceed 2.5ft high and 10ft wide. Proposed 6ftx20ft façade sign requires a variance of 3.5ft*(height) and 10ft width.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: C USE: 6ftx20ft Façade sign

SIGN:

FREESTANDING:

HEIGHT:

WIDTH:

WALL SIGNS: 2.5ftx10ft

6ftx20ft

3'-6" x 10'
~~6ftx20ft~~

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A.. APPLICANT, FILE.W/ATTACHED MAP

V O R

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any discrepancies must be corrected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FEB 14 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2003-114

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Eugene & Jann Hecht

Address 124 Meadow Hill Rd NBB NY Phone # 566-8314

Mailing Address _____ Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of 161 Windsor Hwy
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 9 Block 1 Lot 25.4

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other BLDG Sign
6' X 20'

6. Is this a corner lot? _____

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____

ZONING BOARD

Fee

\$ 50 —

ch# 1103
date 06

PAID

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

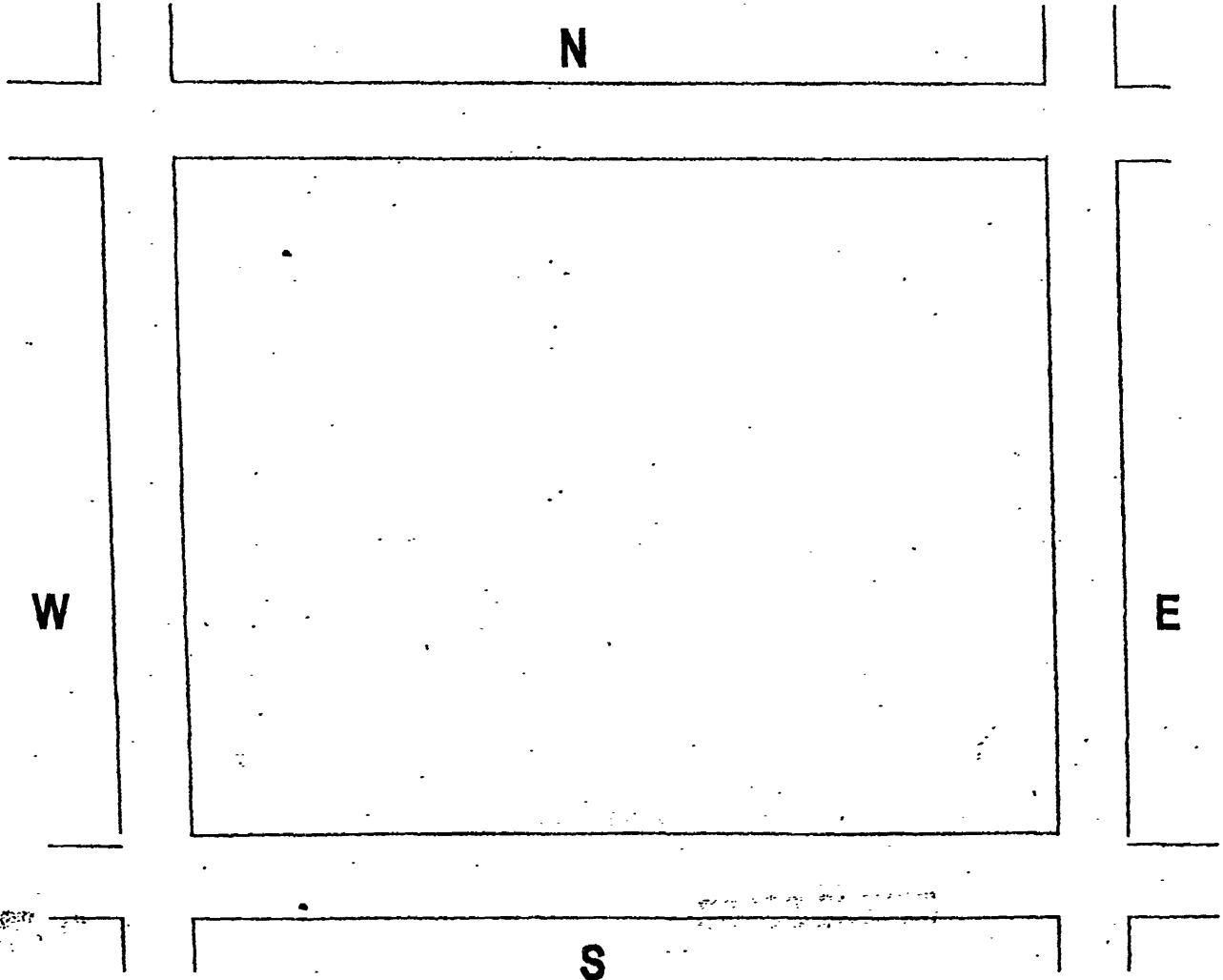
(Signature of Applicant)

(Address of Applicant)

(Owner's Signature)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



TODD A. KELSON, P.C.
ATTORNEY & COUNSELLOR-AT-LAW
254 ROUTE 17K NEWBURGH, NY 12550
845-567-3010
FAX 845-567-1176*
E-MAIL TAKELSON@AOL.COM*

*NOT FOR SERVICE OF PROCESS

March 3, 2003

Town of New Windsor Building Dept.
555 Union Avenue
New Windsor, NY 12553

RE: Pleasant Acres Nursery, Inc. to Hecht
Property Address: 161 Windsor Highway, New Windsor, NY, Section 9, Block 1, Lot 25.4

Dear Sir/Madam:

This will confirm that Mr. Hecht is authorized to act on behalf of Pleasant Acres Nursery, Inc. with regard to any open building code or zoning violations with the Town of New Windsor.

Very truly yours,

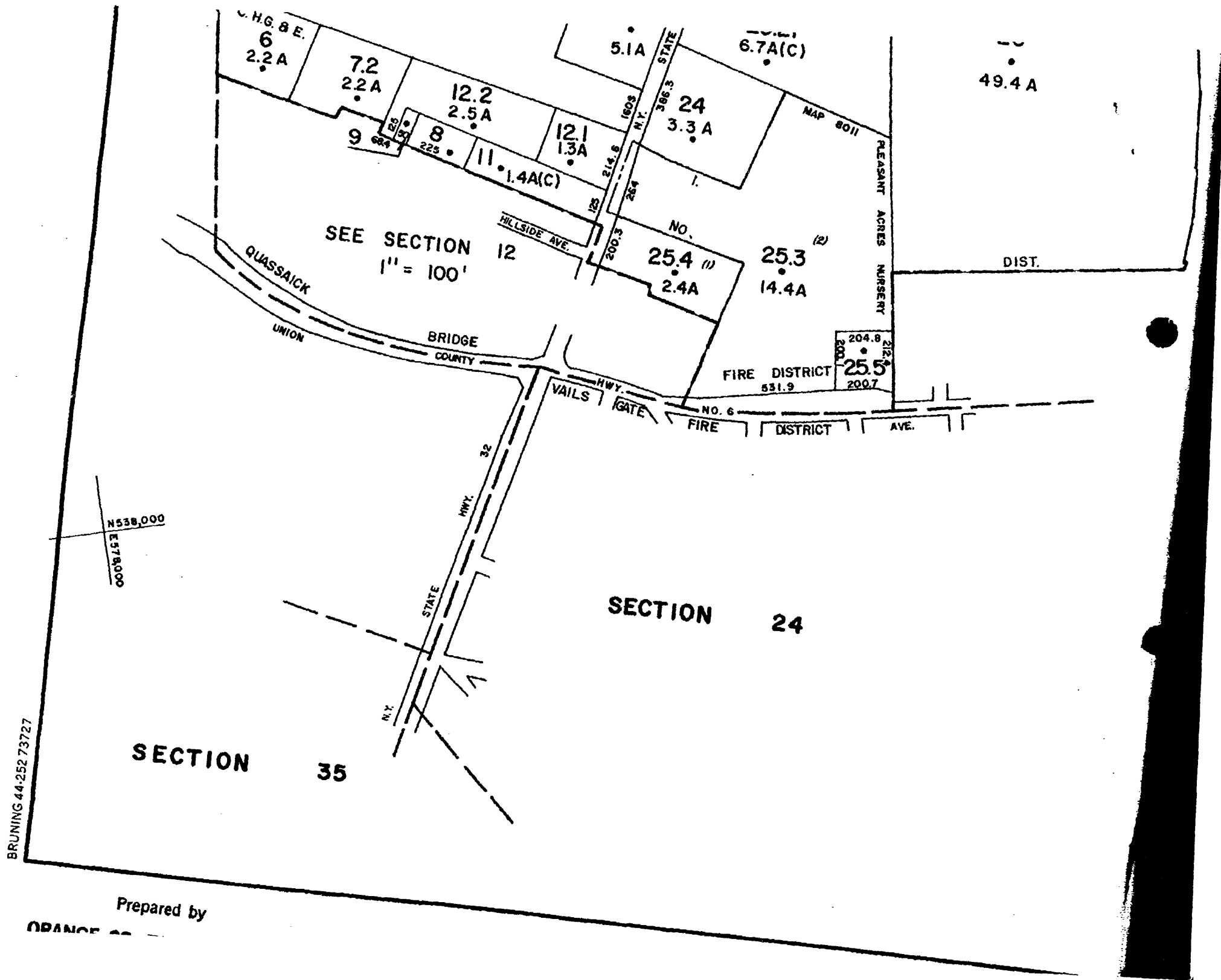
Todd A. Kelson
TODD A. KELSON

TAK:cp
Enclosure

RECEIVED

MAR 03 2003

BUILDING DEPARTMENT





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

March 19, 2003

Mr. Eugene Hecht
129 Meadow Hill Road
Newburgh, NY 12550

SUBJECT: ZONING BOARD APPEARANCE

Dear Mr Hecht:

This letter is to inform you that you have been placed on the March 24th, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

161 Windsor Highway
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#248-2003

03/14/2003

Hecht, J & E
129 Meadow Hill Road
Newburgh, NY 12550

Received \$ 150.00 for Zoning Board Fees, on 03/14/2003. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA #0374 ESCROW

J. & E. HECHT 566-8314
129 MEADOW HILL ROAD
NEWBURGH, NY 12550

50-235 617
219

444

DATE 3-6-03

PAY TO THE
ORDER OF

Town of New Windsor

\$ 500⁰⁰

Five hundred dollars⁰⁰

DOLLARS



Security Features
Included
Details on Back

THE
BANK OF
NEW
YORK

Route 17K Office, 201 Auto Park Place
Newburgh, NY 12550

MEMO

Escrow

[Signature]

⑆021902352⑆ ⑈6802110926⑈ 0444

BNY STYLE 60

ZBA #03-14 Application fee

J. & E. HECHT 566-8314
129 MEADOW HILL ROAD
NEWBURGH, NY 12550

50-235 617
219

443

DATE 3-6-03

PAY TO THE
ORDER OF

Town of New Windsor

\$ 150⁰⁰

One hundred & fifty⁰⁰

DOLLARS



Security Features
Included
Details on Back

THE
BANK OF
NEW
YORK

Route 17K Office, 201 Auto Park Place
Newburgh, NY 12550

MEMO

APP Fee

[Signature]

⑆021902352⑆ ⑈6802110926⑈ 0443

BNY STYLE 60

J. & E. HECHT
129 MEADOW HILL ROAD
NEWBURGH, NY 12550

50-235 617
219

445

DATE 3-6-03

PAY TO THE
ORDER OF

Town of New Windsor

\$ 25⁰⁰

Twenty five dollars⁰⁰

DOLLARS



Security Features
Included
Details on Back

THE
BANK OF
NEW
YORK

Route 17K Office, 201 Auto Park Place
Newburgh, NY 12550

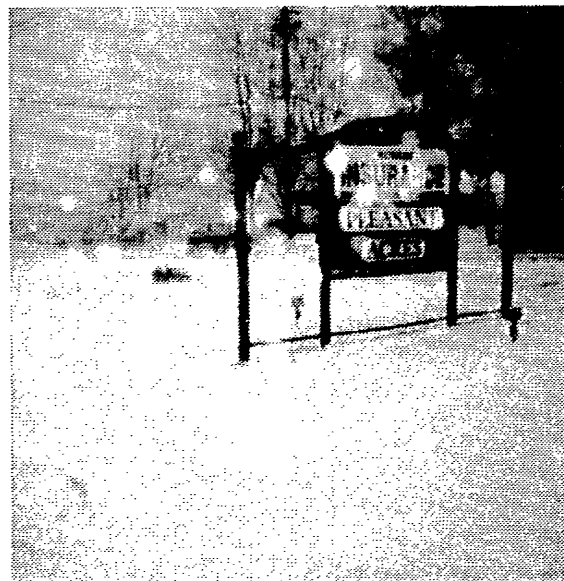
MEMO

APP Fee

[Signature]

⑆021902352⑆ ⑈6802110926⑈ 0445

BNY STYLE 60





**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE



3-5-03 Application Type: ~~Use Variance~~ ☒ Area Variance ☐
Date Sign Variance ☒ Interpretation ☐

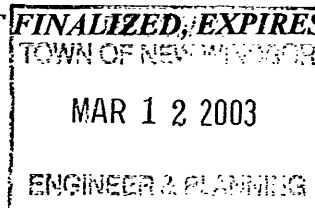
- I. **Owner Information:** Phone Number: () Disconnected
Pleasant Acres Nursery Inc Fax Number: ()
(Name)
166 Windsor Hwy New Windsor NY 12553
(Address)
- II. **Purchaser or Lessee:** Phone Number: (845) 566-8314 Home
EUGENE & JANN Hecht Fax Number: () 629-7300 Cell
(Name)
129 Meadow Hill Rd Newburgh NY 12550
(Address)
- III. **Attorney:** Phone Number: (845) 561-6000
MARTIN Colten Fax Number: ()
(Name)
450 Broadway Newburgh NY 12550
(Address)
- IV. **Contractor/Engineer/Architect** Surveyor Phone Number (845) 744-2072
MARGARET M. HILL/LEGEL Fax Number: ()
(Name)
372 Oregon Trail Pine Bush NY 12566
(Address)

V. **Property Information:**

Zone: C Property Address in Question: 166 Windsor Hwy New Windsor NY
Lot Size: 2.4 Acres Tax Map Number: Section 9 Block 1 Lot 25.4
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? No
c. When was property purchased by present owner? 1960
d. Has property been subdivided previously? _____ If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? Yes No Sign Permit
f. Is there any outside storage at the property now or is any proposed? Yes

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.



03-14

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

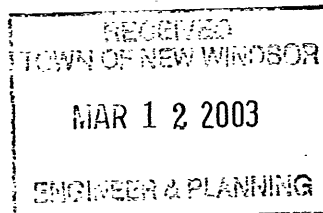
- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

At the present time there is a tree service with a Sirewood plant on the property with cut trees, unsightly oversized trucks all over the property with repairs being done on equipment. Grounds are not maintained overgrown brush & trees, junk vehicles on property - junk landscape equipment on property - buildings unpainted, rusted fence around property - As I have done on Temple Hill Rd for 18 yrs the property will be kept spotless, maintained, & a showcase of the neighborhood.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.



03-14

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	2.5' X 10' W	6 ft X 20 ft	3.5 ft H X 10' wide
Sign #2	64 sq ft	160 sq ft	96 sq ft
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

THE SIGNS HAVE BEEN ON THE PROPERTY & ARE EXISTING
FOR 10 YEARS & WISH TO MAKE THEM LEGAL.

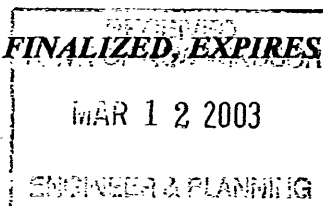
- (c) What is total area in square feet of all signs on premises including signs on windows,
face of building and freestanding signs 280 sq ft ?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____
- (b) Describe in detail the proposal before the Board:

PLEASE NOTE:

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE
OF SUBMITTAL.**



03-14

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

ADDITIONAL LIGHTING will be placed in YARD AREA
+ FRONT OF BUILDING. ADDITIONAL SHRUBS will be placed
around property. Flower beds will be planted.

XIII. ATTACHMENTS REQUIRED:

Need these items with application

- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copies of signs with dimensions and location.
- ☒ Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - ☒ One in the amount of \$ 300.00 or 500.00 , (escrow)
 - ☒ One in the amount of \$ 50.00 or 150.00 , (application fee)
 - ☒ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles.

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

6th day of March 2003.

Cheryl L. Canfield

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County

Signature of Notary
#0106073319
Commission Expires April 22, 2006

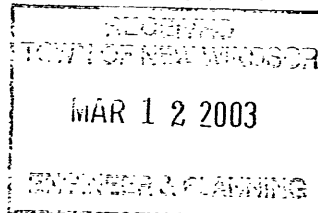
Owner's Signature (Notarized)

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.



03-14

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Pleasant Acres Nursery Inc, deposes and says that he resides
(OWNER)

at 161 Windsor Hwy in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 9 Block 1 Lot 25.4)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

Eugene + Jann Hecht
(Applicant Name & Address, if different from owner)

129 Meadow Hill Rd Newburgh NY 12550
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: _____

Sworn to before me this:

_____ day of _____ 20_____

**

See attached letter
Owner's Signature (MUST BE NOTARIZED)

Applicant's Signature (If different than owner)

Representative's Signature

Signature and Stamp of Notary

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

03-14

TODD A. KELSON, P.C.
ATTORNEY & COUNSELLOR-AT-LAW
254 ROUTE 17K NEWBURGH, NY 12550
845-567-3010
FAX 845-567-1176*
E-MAIL TAKELSON@AOL.COM*

NOT FOR SERVICE OF PROCESS

March 3, 2003

Town of New Windsor Building Dept.
555 Union Avenue
New Windsor, NY 12553

RE: Pleasant Acres Nursery, Inc. to Hecht

Property Address: 161 Windsor Highway, New Windsor, NY, Section 9, Block 1, Lot 25.4

Dear Sir/Madam:

This will confirm that Mr. Hecht is authorized to act on behalf of Pleasant Acres Nursery, Inc. with regard to any open building code or zoning violations with the Town of New Windsor.

Very truly yours,

Todd A. Kelson
TODD A. KELSON

TAK:cp
Enclosure

RECEIVED

MAR 03 2003

BUILDING DEPARTMENT